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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

BY: CP DEPUTY

UNITED STATES OF AMERICA	)	Magistrate Docket No. '07 MJ 2748
	)	
	)	
Plaintiff	)	
	)	COMPLAINT FOR
v.	)	VIOLATION OF:
	)	**TITLE 18 U.S.C. § 1544**
Teresa SEVILLA NAVARRO	)	**Misuse of Passport**
AKA: Mercedes Galvan DO	)	
	)	
	)	

The undersigned complainant, being duly sworn, states:

On or about November 24, 2007, within the Southern District of California, defendant Teresa SEVILLA NAVARRO did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting US passport number 039498432, issued to Mercedes Galvan DO, to the Department of Homeland Security, Customs and Border Protection Officer, knowing full well that she was not Mercedes Galvan DO, that the passport was not issued or designed for her use, and that she is not a United States citizen entitled to a U.S. Passport.

All in violation of Title 18, United States Code, Section 1544.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Richard M. Escott
Senior Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me
This 26th day of Nov, 2007.

UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT RE:

Teresa SEVILLA NAVARRO
AKA: Mercedes Galvan DO

PROBABLE CAUSE STATEMENT & STATEMENT OF FACTS

I, Richard Michael Escott, being duly sworn, declare under penalty of perjury that the following statement is true and correct:

1. I am a Special Agent (SA) with the U.S. Department of State, Diplomatic Security Service (DSS), currently assigned to the San Diego, CA Resident Office. I have been so employed for eight years and have investigated numerous violations involving the false application for and misuse of United States Passports and Visas.

2. During the performance of my duties, I have obtained evidence that Teresa SEVILLA NAVARRO, aka Mercedes Galvan DO used the passport issued for the use of another. This Affidavit is made in support of a complaint against Teresa SEVILLA NAVARRO for violation of Title 18, U.S.C., Section 1544, Misuse of a passport.

3. On 11/24/2007, Teresa SEVILLA NAVARRO presented herself to a Department of Homeland Security, Customs and Border Protection (CBP) Officer at the pedestrian lines at the San Yisdro Port of Entry to apply for admission to the United States. SEVILLA NAVARRO identified herself with US Passport number 039498432, bearing the name Mercedes Galvan DO, DPOB 12/12/1969, Mexico, and a photograph that did not bear her likeness. The CBP Officer recognized the discrepancy and SEVILLA NAVARRO was referred for secondary inspection.

4. On 11/24/2007, a CBP Officer conducted a secondary inspection of SEVILLA NAVARRO. During the interview SEVILLA NAVARRO admitted that the US passport was not hers and that she obtained it with a promise of remuneration in the amount of $3,500 upon her successful entry into the US. SEVILLA NAVARRO admitted that her true name was Teresa SEVILLA NAVARRO, DPOB 06/20/1977, Guadalajara, Jalisco, Mexico, and that she was a citizen of Mexico, not a US Citizen.

5. On 11/24/2007, a CBP Officer fingerprinted SEVILLA NAVARRO. Record checks revealed that she had been arrested by the US Border Patrol on five prior occasions, including three times in the past two weeks.

6. On 11/24/2007, at approximately 2044 hours, the Affiant was notified by CBP at the San Yisdro POE of the case.

7. On 11/24/2007, the Affiant conducted a check of the US Department of State passport database. The Affiant found that US Passport number 039498432 had been reported stolen by Mercedes Galvan

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DO. The DS-64, Statement Regarding a Lost or Stolen Passport, reported that the passport was stolen in December 2006, in Tijuana, Baja California, Mexico.

8. On 11/24/2007, the Affiant offered SEVILLA NAVARRO the opportunity for audio and video recording (per Department of State Policy), she refused. The Affiant, assisted by CBP officer NIELSEN, who also served as translator, obtained an oral and written Miranda waiver from SEVILLA NAVARRO. She admitted that her true name was Teresa SEVILLA NAVARRO, DPOB 06/20/1977, Guadalajara, Jalisco, Mexico, and that she was a citizen of Mexico and not a US Citizen. SEVILLA NAVARRO admitted to having promised to pay a smuggler $3,500 for a false US passport, upon SEVILLA NAVARRO's successful entry into the US. She stated that she was instructed to check into the Imperial Hotel in Tijuana and that she would be met there by the smuggler. She admitted that the smuggler gave her US Passport # 039498432, bearing the name Mercedes Galvan DO, then using that passport, knowing that it was not hers, to apply for admission into the United States. SEVILLA NAVARRO admitted knowing that it was a violation of US law to use a passport that was not issued to her or designed for her use, and to claim to be a US citizen in order to gain entry into the US, if you are not a US Citizen. SEVILLA NAVARRO made a sworn written statement to the facts.

9. On 11/24/2007, the Affiant reviewed SEVILLA NAVARRO's pocket litter. A piece of paper was discovered that had writing that instructed her to check in at the Emerador Hotel under the name WITO, and that a man named Eduardo would pick her up. SEVILLA NAVARRO was questioned as to the inconsistencies in her statement. She said that the paper contained the instructions that she was given by the contact in Mexicali, however, she just told the check-in agent at the Hotel that she was "the woman from Mexicali," and they gave her a room. SEVILLA NAVARRO said that she was fearful of the smugglers and was told not to say anything or she would be hurt. SEVILLA NAVARRO also admitted that she had been living with her sister in Reno, NV for seven years, before returning to Mexico for the last year.

On the basis of the facts presented in this probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offence on 11/24/2007 - in violation of Title18, United States Code, Section 1544: Misuse of a passport - when she knowingly and willfully used the passport belonging to another, Mercedes Galvan DO, knowing that it was not issued or designed for her use, in order to gain admission into the United States.

Richard M. Escott
Senior Special Agent
U.S. Department of State
Diplomatic Security Service

UNITED STATES MAGISTRATE JUDGE